



CANNON BUILDING
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STATE OF DELAWARE
DEPARTMENT OF STATE

DIVISION OF PROFESSIONAL REGULATION

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PUBLIC MEETING MINUTES:	Board of Massage and Bodywork
MEETING DATE AND TIME:	Thursday, August 15, 2013 at 1:30 p.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room B , second floor Cannon Building
MINUTES APPROVED:	September 19, 2013

MEMBERS PRESENT

Holly Overmyer, Professional Member, President (left @ 2:30p.m.)
Sandra Jachimowski, Professional Member, Vice-President
Sharon Harris, Public Member, Secretary
Kari Ainsworth, Professional Member
Patricia Schumann-Draper, Professional Member
Gordon Gelley, Public Member
Rachel Dunning, Public Member

MEMBERS ABSENT

N/A

DIVISION STAFF/DEPUTY ATTORNEY GENERAL/COURT REPORTER

Eileen Kelly, Deputy Attorney General
Theresa Newman, Administrative Specialist
Kim Hurley, Court Reporter

OTHERS PRESENT

Danielle DiFonzo
Alexandra Boyle
Myrissa Hamilton
Hollie Shubert
Jamie Setley
Judy Jones
Dennis Minus
C.J. Montgomery
Brittany Robinson
Michelle Evad
Lucas Gorlin Taibell
Devantay Thomas

Shaneeka Johnson
James Skinner
Teshanna Hanley
Alicia Saunders
Ana Alicia Pizarro
Jennifer Lloyd
Alice Thomas
Camille Downey
Kim Stockslager
Deneice Jedalen
Marvin Duncan

CALL TO ORDER

Ms. Overmyer called the meeting to order at 2:06 p.m.

REVIEW OF MINUTES

The Board reviewed the minutes from the May 16, 2013 meeting. A motion was made by Ms. Harris, seconded by Ms. Ainsworth to approve the minutes as presented. The motion unanimously carried.

UNFINISHED BUSINESS**Proposal to Deny Hearing – Marvin Duncan**

Ms. Kelly called the hearing to order at 2:08p.m. and stated today's hearing was the result of a proposal to deny the application of Marvin Duncan pursuant to 24 Del. C.§5313(9), having a conviction listed in the Rules and Regulations under 10.1.4. Ms. Kelly marks exhibit #1 as the application, documents, and correspondence and exhibit #2 as the PTD hearing notice which was amended, where as the address was corrected as well as the related crime was corrected to reflect the correct conviction. Board members were introduced.

Mr. Duncan was sworn in and gave testimony to the conviction. Mr. Duncan stated he is currently working, but not in the massage industry however he plans on focusing on burn victims in the future as well as continuing his education for a Massage Therapist.

Board went into deliberations at 2:22p.m. and stated he does not pose as a threat to society. Board went back on record at 2:23p.m.

A motion was made by Ms. Harris, seconded by Mr. Gelley to approve the certified massage technician license of Mr. Duncan. The motion unanimously carried. The hearing went off record at 2:23p.m.

Deliberations on Revisions to Rules and Regulations

Board members were reviewed the proposed Rules and Regulations. Ms. Kelly advised all stricken lines were the old regulations that were taken out. No correspondence was given within the 15 day period after the hearing. Board members accepted the proposed regulations.

A motion was made by Mr. Gelley, seconded by Ms. Harris to adopt the Rules and Regulations as presented.

NEW BUSINESS.**Ratification of Massage Technician Certifications**

A motion was made by Ms. Harris, seconded by Ms. Dunning, to approve the ratification of the Massage Technician application of Tiffany Siegler, Xiuhui Ju, Henry Jackson, Jr., Lili Zhang, Nicole Castaldi, Brian Graening-Price, Hollie Shubert, and Daina Davis. The motion was unanimously carried.

Ratification of License Massage Therapists

A motion was made by Ms. Harris, seconded by Ms. Dunning, to approve the ratification of the Massage Therapist applications of Melissa Leonard, Kathryn Thompson, Heather Immediato, Huajuan Zhang, Lisa Tyler, Linda Angelo, and Fang Shao. The motion unanimously carried.

Complaint Status

20-09-10-Assigned to Hearing Officer
 20-13-10-Office of the Attorney General
 20-14-10-Assigned
 20-16-10-Assigned
 20-02-11-Office of the Attorney General
 20-03-11-Office of the Attorney General

20-04-11-Assigned to Hearing Officer
20-05-11-Assigned to Hearing Officer
20-08-11-Office of the Attorney General
20-02-12-Office of the Attorney General
20-03-12-Office of the Attorney General
20-06-12-Office of the Attorney General
20-07-12-Office of the Attorney General
20-08-12-Office of the Attorney General
20-11-12-Assigned
20-01-13-Office of the Attorney General
20-02-13-Office of the Attorney General
20-03-13-Office of the Attorney General
20-04-13-Office of the Attorney General
20-05-13-Office of the Attorney General
20-06-13-Office of the Attorney General
20-07-13-Office of the Attorney General
20-08-13-Office of the Attorney General
20-09-13-Assigned
20-10-13-Assigned
20-11-13-Office of the Attorney General

Review of Applications-Eileen Heeney

A motion was made by Ms. Harris, seconded by Ms. Ainsworth to amend the agenda to add the review of the Certified Massage Technician Application of Melanie Hall. The motion was unanimously carried.

A motion was made by Ms. Harris, seconded by Ms. Ainsworth to approve the Certified Massage Technician applications of Jennifer Lloyd, Danielle Hines, and Melanie Hall. The motion was unanimously carried.

A motion was made by Ms. Harris, seconded by Ms. Ainsworth, to propose to deny the Certified Massage Technician application of Amy Baustista for having convictions substantially related to the list of crimes on the Rules and Regulations. The motion was unanimously carried.

A motion was made by Mr. Gelley, seconded by Ms. Harris, to propose to deny the Certified Massage Technician application of Brian Poore for having convictions substantially related to the list of crimes on the Rules and Regulations. The motion was unanimously carried.

Review and Discussion of Recommendations of Hearing Officer

After review and discussion of the recommendations of the hearing officer, a motion was made by Ms. Ainsworth, seconded by Ms. Harris to accept the recommendation of Kimberly Blanch and Mary Cummings. The motion was unanimously carried.

Review of Audits for 2012 Renewal

Board members reviewed audits submitted. Correspondence letters will go out to those who did not pass the audit.

Request for CE Extension – Donna Hughes

A motion was made by Mr. Gelley, seconded by Ms. Harris to deny the request for continued education extension based on the not meeting the requirements listed in the Rules and Regulations, section 7.6. The motion was unanimously carried.

CORRESPONDENCE**Letter from Melissa Moulder**

A motion was made by Ms. Harris, seconded by Ms. Ainsworth to delegate the responsibility of writing a correspondence letter to Ms. Moulder to advise she is past the time limit of 20 days to send in exceptions to the Recommendations of Hearing Officer. The motion was unanimously carried.

OTHER BUSINESS

Ms. Patricia Schumann-Draper advised the board of Senate Bill 114 – Chaperone Law which was passed on August 06, 2013. Ms. Schumann-Draper proposed to place the item on the September meeting to discuss. She also suggested having a speaker attend September's meeting to discuss Human Trafficking. The board would like to invite the Division's investigator to come in as well to discuss their position with investigations relating to the subject.

Ms. Newman will add these items to the September Massage Agenda.

PUBLIC COMMENT

Ms. Stocklager gave a comment regarding teaching her students professionalism and made them aware of human trafficking.

NEXT SCHEDULED MEETING

The next meeting is scheduled for September 19 at 1:30 p.m.

ADJOURNMENT

There being no further business, a motion was made by Mr. Gelley, seconded by Ms. Harris, to adjourn the meeting. The motion was unanimously carried. The meeting was adjourned at 3:28 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Theresa Newman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Theresa Newman
Administrative Specialist II

